	Application No.	Applicant(s)
Notice of Allowability	09/838,466	BONJOUR ET AL.
	Examiner	Art Unit	
	John Pezzlo	2662	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *after final response filed 8 August 2005*.

2. ☒ The allowed claim(s) is/are *1-12*.

3. ☒ The drawings filed on *19 April 2001* are accepted by the Examiner.

4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☒ All   b) ☐ Some*   c) ☐ None of the:

       1. ☒ Certified copies of the priority documents have been received.

       2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

       3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

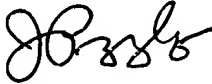   * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

       1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____ .

    (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____ .

    Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)

6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____ .

7. ☐ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____ .

JOHN PEZZLO
PRIMARY EXAMINER

DETAILED ACTION

Allowable Subject Matter

Claims 1-12 are allowable over the prior art of record.

Reasons for Allowance

The following is an examiner's statement of reasons for allowance: Applicants have

claimed the following uniquely distinct features in the instant invention, which are not found in

the prior art, either singularly or in combination:

1.   Regarding claim 1 - Process for testing switching system receiving data units according

to a point-to-point transmission interface format originating from an external network facility,

the data units transporting packets of a higher layer protocol, the process comprising the steps of:

processing first data units originating from the external network facility so as to recover first

packets transported by the first data units, generating test traffic carried by second packets of said

higher layer protocol, multiplexing the first and second packets so as to form a stream of

multiplexed packets, converting the stream of multiplexed packets into second data units

according to said point-to-point transmission interface format, and transmitting the second data

units to the switching system.

2.   Regarding claim 8 - Device for inserting traffic comprising first and second interface

modules supporting a point-to-point transmission interface format for transferring data units

transporting packets of a higher layer protocol, the first interface module being arranged to receive first data units originating from a network facility and the second interface module being arranged to send second data units to a switching system, the device further comprising multiplexing means for forming a stream of multiplexed packets comprising first packets recovered by the first interface module from the first data units and second packets of said higher layer protocol carrying additional traffic, the second data units being produced by the second interface module on the basis of the stream of multiplexed packets.

The closest prior art, either singularly or in combination, fail to anticipate or render the above limitations obvious.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Claims 1-12 being allowable, **Prosecution On The Merits Is Closed** in this application.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

1.   Zheng et al. (US 6,611,522 B1) discloses a QoS facility in a device for performing IP forwarding and ATM switching.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to John Pezzlo whose telephone number is (571) 272-3090. The

examiner can normally be reached on Monday to Friday from 8:30 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Hassan Kizou, can be reached on (571) 272-3088. The fax phone number for the

organization where this application or proceeding is assigned is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is (571) 272-2600.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C.

or faxed to:

(571) 273-8300

For informal or draft communications, please label "PROPOSED" or "DRAFT"

Hand delivered responses should be brought to:

Jefferson Building

2A15

500 Dulany Street

Alexandria, VA, 22313.

John Pezzlo

12 August 2005

JOHN PEZZLO
PRIM/   MINER